

APPENDIX IV

TAB G

HEARING EXHIBIT 1

The New York TimesPRINTED FROM THE NEW YORK TIMES
REPRODUCED BY NYPL READING ROOM

January 16, 2005

An Alternative to Evolution Splits a Pennsylvania Town

By NEELA BANERJEE

DOVER, Pa. - Ever since the school board here voted to make this town in Pennsylvania Dutch country the first in the nation to discuss an alternative to evolution in high school biology classes, students have been as sharply divided as the rest of this normally close-knit community.

"I think we should have a choice: They should teach you both," said Meagan Hass, 14, while eating pizza after school at K1's restaurant with her friend Abbi Hake. "Evolution to me is like we come from monkeys."

At a nearby table, Jessika Moury, 14, said her mother supported the school board but she did not. "There are so many aspects of religion, so you have to teach what each of them says," Jessika said. "There's Bible Club in school for this, and that's where it should be taught."

With the new instruction on the origin of life set to begin, Dover has become a critical testing ground in a widening national debate about teaching evolution.

In early January, Dover High School's science teachers refused to read to ninth-graders a short statement written by the school board that criticizes evolution and cites a controversial approach called Intelligent Design as an alternative.

The teachers contend that such a change to the curriculum amounts to teaching Intelligent Design and that the approach is inherently religious, not scientific.

"Kids are smart enough to understand what Intelligent Design means," said Robert Eshbach, a science teacher who refused to read the statement. "The first question they will ask is, 'Well, who's the designer? Do you mean God?'"

Jen Miller, who teaches ninth-grade biology, said she saw no conflict between evolution and religion.

"I've never had a problem in my classroom in the way I approach evolution," Ms. Miller said. "Just because I teach evolution doesn't mean that God's not there or that I'm going against the religious beliefs of my students." With the teachers balking, an administrator will read the statement instead, as early as next week. Students may opt out of the reading with their parents' permission.

Several states have issued disclaimers to students questioning the validity of evolution, claiming it is riddled with gaps. But the Dover school board went further on Oct. 18 when it voted to specifically identify an alternative to evolution and encourage students to learn more about it.

Proponents of Intelligent Design, which asserts that life is so intricately complex that an architect must be behind it, say it is a valid scientific theory. Critics argue that Intelligent Design has no basis in

science and is another iteration of creationism. And while people are still polite to one another in Dover, those same arguments have split school board members, clergy, residents and students alike.

"It's been very polarizing," said the Rev. David F. Sproull, pastor of the Dover Assembly of God Church and a supporter of the board's decision. "I see very few people sitting in the middle of it. It evokes very strong feelings."

Some have already moved to stop the school board. In mid-December, 11 local parents represented by the American Civil Liberties Union and Americans United for Separation of Church and State sued the school board, contending that discussing Intelligent Design is a way to foist religion on their children.

"The dispute here isn't between Christians versus non-Christians or non-believers," said Jeff Brown, a former school board member who voted against criticizing evolution. "It's between Christians who are comfortable with the Constitution and those who want special treatment."

Conservative Christians across the country say the re-election of President Bush has given them the momentum to achieve important local goals, including challenging the teaching of evolution, and they are watching developments in Dover closely.

In a November 2004 CBS News Poll, nearly two-thirds of Americans said they favored teaching creationism alongside evolution in schools.

In Grantsburg, Wis., the school board recently voted to teach a critical approach to evolution, without identifying alternatives. In South Carolina, legislation will be introduced to examine the state's curriculum on teaching the origin of species. In Kansas, conservatives who favor challenging the teaching of evolution recently won a majority on the state school board, and they are generally expected to change the state science curriculum as early as the spring.

[A federal judge in Georgia ruled on Thursday that schools in Cobb County must remove from science textbooks stickers that criticize evolution, dealing a blow to local creationists.]

Located 25 miles southwest of Harrisburg, Dover, population 25,000, is a cluster of modest churches, clapboard homes and weathered family restaurants hemmed by rolling farmland. It is in York County, which supported President Bush by a nearly 2-to-1 margin in the November election. The area was largely settled by the small Protestant denominations that grew among the Pennsylvania Dutch, and people learned to be tolerant of those with differing beliefs because of the patchwork of faiths that made up their town, Mr. Brown said.

But a growing number of conservative Christians in Dover, like many elsewhere, bridle at what they see as the marginalization of their faith in a country they believe was founded on biblical values. "I think we're coming to place where we're certainly not browbeating people with religion, but that it has just become a normal part of life now," Mr. Sproull, the pastor, said of introducing Intelligent Design to the local high school. "Everyone in the country seems to have freedom of speech but those who talk about religion and God."

To many in Dover, teaching students that the Earth is millions of years old or that man evolved in ways that contradict biblical accounts is akin to promulgating atheism.

"If they can teach there is no God, then they can teach there is a God," said Jean Eisenhart, 72, as she left the Dover Diner after breakfast on a recent brisk morning.

The six people on the nine-member board who voted for the challenge to evolution have declined to talk to the news media because of the pending lawsuit. But the high school's science teachers said they were first approached by a board member about evolution in fall 2003.

By last summer, some members tried to stop the purchase of a biology textbook recommended by teachers because it mentioned Charles Darwin.

The York Dispatch quoted one board member, William Buckingham, as saying in that debate: "Nearly 2,000 years ago, someone died on the cross for us. Shouldn't we have the courage to stand up for him?" Richard Thompson, president of the Thomas More Law Center, a Christian legal defense group representing the six board members, said Mr. Buckingham made that statement in another context, a dispute about the Pledge of Allegiance in 2003.

The textbooks were ultimately ordered, but the board voted to have teachers read the statement criticizing evolution. Mr. Brown and his wife, Carol, longtime board members, resigned in protest. Many people have supported them; others stopped talking to them.

"I got no joy out of it," Mrs. Brown said. "But people have to be aware: This is dividing the country. Who pays attention to school board meetings anyway?"

The Rev. Warren Eshbach, an adjunct professor at Lutheran Theological Seminary in nearby Gettysburg and the father of Robert Eshbach, the science teacher, warned at board meetings about how divisive the issue might prove. Like many fellow Dover residents, he said the biblical account of the origins of humanity should be taught in a comparative religion class, not a biology class.

"Science is figuring out what God has already done," Mr. Eshbach said. "But I don't think Genesis 1 to 11 was ever meant to be a science textbook for the 21st century."

Noel Wenrich, an evangelical Christian board member who voted with the Browns against the measure, said he wanted approaches other than evolution explained in school. But given a 1987 Supreme Court decision against teaching creationism, he worried that the mention of Intelligent Design would embroil the district in losing lawsuits and drain it of badly needed funds.

"I think that 80 percent of the community might support the measure, but not if taxes go up," Mr. Wenrich said. "Then it's 30 percent."

Ninth graders at Dover High have been following the ruckus, and some say they wish that it would stop, and that Dover might be known for something else, something more run-of-the-mill, like its academics.

Amy Mumford, a ninth grader, put some of her classmates' frustrations directly. "I think it should be kept out of school," she said of Intelligent Design. "Because it goes against the separation of school and church, or whatever."

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See p. 3.



The State of Texas

SECRETARY OF STATE

The undersigned, as Secretary of State of the State of Texas, HEREBY CERTIFIES
that the attached is a true and correct copy of the following described instruments on file
in this office:

THE FOUNDATION FOR THOUGHT AND ETHICS

ARTICLES OF INCORPORATION
ARTICLE 9.81 REPORT

DECEMBER 5, 1980
DECEMBER 30, 1993

IN TESTIMONY WHEREOF, I have hereunto
signed my name officially and caused to be
impressed hereon the Seal of State at my office in
the City of Austin, on February 15, 1995.



[Signature]
Antonio O. Garza, Jr.
Secretary of State

DEM

BF 000732

HEARING EXHIBIT 2

990Form 990
Department of the Treasury
Internal Revenue Service**Return of Organization Exempt From Income Tax**Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung
benefit trust or private foundation)

> The organization may have to use a copy of this return to satisfy state reporting requirements.

OMB No. 1545-0077

2003Open to Public
Inspection

A For the 2003 calendar year, or tax year beginning

OCT. 1, 2003

and ending SEP. 30, 2004

B Check if
applicable

- Address change
- Name change
- Related return
- Total return
- Consolidated return
- Application pending

C Name of organization

FOUNDATION FOR THOUGHT & ETHICS

Number and street (or P.O. box if mail is not delivered to street address)

P. O. BOX 830721

City or town, state or country, and ZIP + 4
RICHARDSON, TX 75083-0721* Section 501(c)(3) organizations and 4947(a)(1) noncharitable organizations
must attach a completed Schedule A (Form 990 or 990-EZ).

D Employer identification number

75-1744350

E Telephone number

972-661-1661F Accounting cycle Cash Accrual
 Special

G Website

> WWW.PTEONLYLINE.COM

H and I are not applicable to section 527 organizations.

H(a) Is this a group return for affiliates? Yes No

H(b) If "Yes," enter number of affiliates ►

H(c) Are all affiliates included? N/A Yes No

(If "No," attach a list.)

H(d) Is this a separate return filed by an organization covered by a group filing? Yes No

I Group exemption number ►

J Check if the organization is not required to attach

Schedule B (Form 990, 990-EZ, or 990-PF).

L Gross receipts: Add lines 6b, 8b, 9b, and 10b to line 12 ► **465,738.****Part I: Revenue, Expenses, and Changes in Net Assets or Fund Balances**

1	Contributions, gifts, grants, and similar amounts received:	1a	382,865.
a	Direct public support	1b	
b	Indirect public support	1c	
c	Government contributions (grants)		
d	Total (add lines 1a through 1c) (each \$ 382,865.) (noncash \$ _____)	1d	382,865.
2	Program service revenue including government fees and contracts (from Part VII, line 53)	2	
3	Membership dues and assessments	3	
4	Interest on savings and temporary investments	4	19.
5	Dividends and interest from securities	5	
6 a	Gross rents	6a	
b	Less: rental expenses (FEB 1 @ 2005) 50	6b	
c	Net rental income or (loss) (subtract line 6b from line 6a)	6c	
7	Other investment income (losses)	7	
8 a	Gross amount from sales of net assets other than inventory (A) Securities (B) Other	8a	
b	Less: cost or other basis and sales expenses	8b	
c	Gain or (loss) (attach schedule)	8c	
d	Net gain or (loss) (combine line 8c, columns (A) and (B))	8d	
9	Special events and activities (attach schedule). If any amount is from gaming, check here ►	9	
a	Gross revenue (not including \$ _____) all contributions reported on line 1a)	9a	
b	Less: direct expenses other than fundraising expenses	9b	
c	Net income or (loss) from special events (subtract line 9b from line 9a)	9c	
10 a	Gross sales of inventory, less returns and allowances	10a	82,854.
b	Less: cost of goods sold	10b	106,393.
c	Gross profit or (loss) from sales of inventory (attach schedule) (subtract line 10b from line 10a)	10c	STMT 1
11	Other revenue (from Part VII, line 103)	11	<23,539->
12	Total revenue (add lines 1d, 2, 3, 4, 5, 8c, 7, 8d, 9c, 10c, and 11)	12	359,345.
13	Program services (from line 14, column (B))	13	176,696.
14	Management and general (from line 14, column (C))	14	95,925.
15	Fundraising (from line 14, column (D))	15	78,554.
16	Payments to affiliates (attach schedule)	16	351,175.
17	Total expenses (add lines 16 and 44, column (E))	17	8,170.
18	Excess or (deficit) for the year (subtract line 17 from line 12)	18	<182,998->
19	Net assets or fund balances at beginning of year (from line 73, column (A))	19	955.
20	Other changes in net assets or fund balances (attach explanation)	20	<173,863->
21	Net assets or fund balances at end of year (combine lines 18, 19, and 20)	21	

12-17-04 LHA For Paperwork Reduction Act Notice, see the separate instructions.

SEE STATEMENT 2

Form 990 (2003)



HEARING EXHIBIT 3

REMO

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FILED

In the Office of the

DEC 30 1993



The State of Texas
Secretary of State

Secretary of State of Texas
Corporations Section

JOHN HANNAH, JR.
 SECRETARY OF STATE

CHARTER NO. 00541686-01
 ARTICLE 9.01, T.N.P.C.A. REPORT
 FILING FEE \$5.00

PURSUANT TO THE PROVISIONS OF ARTICLE 9.01 OF THE TEXAS NON-PROFIT CORPORATION ACT, THE UNDERSIGNED CORPORATION HEREBY FILES ITS REPORT SETTING FORTH:

1. THE NAME OF THE CORPORATION IS:

THE FOUNDATION FOR THOUGHT AND ETHICS

2. IT IS INCORPORATED UNDER THE LAWS OF TEXAS

3. THE STREET ADDRESS OF THE REGISTERED OFFICE OF THE CORPORATION IN THE STATE OF TEXAS IS: 606 EAST SPRING VALLEY ROAD RICHARDSON, TX (MAKE ANY CHANGES HERE)

4. ITS REGISTERED AGENT AT SUCH ADDRESS IS: JON BUELL
 (MAKE ANY CHANGES HERE)

5. IF A FOREIGN CORPORATION, THE STREET ADDRESS OF ITS PRINCIPAL OFFICE THE STATE OR COUNTRY UNDER THE LAWS OF WHICH IT IS INCORPORATED IS:

6. THE NAMES AND RESPECTIVE ADDRESSES OF ITS DIRECTORS (OR TRUSTEES, ETC AND OFFICERS ARE): (NAME AT LEAST 3)
 NAME TITLE ADDRESS

Jon Buell President 606 E. Spring Valley Rd.

Ed Halton Vice President 4409 Goodfellow Richardson, TX 75081

Jim Manley Treasurer Dallas, TX 75229

----- 6519 Wickerwood Dallas, TX 75248

RECD

FILED
10/05/1980
SHERIFF OF BEXAR COUNTY

ARTICLES OF INCORPORATION

DEC 05 1980

OF

THE FOUNDATION FOR THOUGHT AND ETHICS Corporation Division

COURT USE

We, the undersigned natural persons of the age of eighteen (18) years or more, at least two (2) of whom are citizens of the State of Texas, acting as incorporators of a corporation under the Texas Nonprofit Corporation Act, do hereby adopt the following Articles of Incorporation for such corporation:

ARTICLE ONE

The name of the corporation is THE FOUNDATION FOR THOUGHT AND ETHICS.

ARTICLE TWO

The corporation is a nonprofit corporation.

ARTICLE THREE

The period of its duration is perpetual.

ARTICLE FOUR

The corporation is to have no members.

ARTICLE FIVE

The purposes for which the corporation is formed are:

1) The primary purpose is both religious and educational, which includes, but is not limited to, proclaiming, publishing, preaching, teaching, promoting, broadcasting, disseminating, and otherwise making known the Christian gospel and understanding of the Bible and the light it sheds on the academic and social issues of our day. Achievement of these ends will be accomplished through the utilization of oral and written means as well as a variety of media communications.

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2) The general purposes and powers are to have and exercise all of the rights and powers conferred on nonprofit corporations under the laws of Texas, or which may hereafter be conferred, including the power to contract, rent, buy or sell personal or

BF 000734

REAN

We, the undersigned natural persons of the age of eighteen (18) years or more, at least two (2) of whom are citizens of the State of Texas, acting as incorporators of a corporation under the Texas Nonprofit Corporation Act, do hereby adopt the following Articles of Incorporation for such corporation:

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2) The general purposes and powers are to have and exercise all of the rights and powers conferred on nonprofit corporations under the laws of Texas, or which may hereafter be conferred, including the power to contract, rent, buy or sell personal or real property; provided, however, that this corporation shall not, except to an insubstantial degree, engage in any activity or exercise any powers that are not in furtherance of the primary purpose of this corporation.

3) The purposes or purposes for which the corporation is organized are to receive and maintain a fund or funds of real or personal property, or both, and subject to the restrictions and limitations hereinafter set forth, to use and apply the whole or any part of the income therefrom and the principal thereof exclusively for charitable, religious, scientific, literary, or educational purposes either directly or by contributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code and its Regulations as they now exist or as they may hereafter be amended.

4) No part of the net earnings of the corporation shall inure to the benefit of any director of the corporation, officer of the corporation, or any private individual (except that reasonable compensation may be paid for services rendered to or for the corporation affecting one or more of its purposes), and no director or officer of the corporation, or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting, to influence legislation, and the corporation shall not participate in, or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office.

5) The corporation shall distribute its income for each taxable year at such time and in such manner as not to become subject to tax on undistributed income imposed by Section 4942 of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent federal tax laws.

6) The corporation shall not engage in any act of self-dealing as defined in Section 4941(d) of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent federal tax laws.

7) The corporation shall not retain any excess business holdings as defined in Section 4943(c) of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent federal tax laws.

8) The corporation shall not make any investments in such manner as to subject it to tax under Section 4944 of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent federal tax laws.

9) The corporation shall not make any taxable expenditures as defined in Section 4945(d) of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent federal tax laws.

10) Notwithstanding any other provisions of these Articles of Incorporation, the corporation shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and its Regulations as they now exist or as they may hereafter be amended, or by an organization, contributions to which are deductible under Section 179(c)(2) of the Internal Revenue Code and Regulations as they now exist or as they may hereafter be amended.

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or any part of the income therefrom and the principal thereof exclusively for charitable, religious, scientific, literary, or educational purposes either directly or by contributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code and its Regulations as they now exist or as they may hereafter be amended.

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8) The corporation shall not make any investments in such manner as to subject it to tax under Section 4944 of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent federal tax laws.

9) The corporation shall not make any taxable expenditures as defined in Section 4945(d) of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent federal tax laws.

10) Notwithstanding any other provisions of these Articles of Incorporation, the corporation shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and its Regulations as they now exist or as they may hereafter be amended, or by an organization, contributions to which are deductible under Section 170(a)(2) of the Internal Revenue Code and Regulations as they now exist or as they may hereafter be amended.

11) Upon dissolution of the corporation or the winding up of its affairs, the assets of the corporation shall be distributed exclusively to charitable, religious, scientific, testing for public safety, literary, or educational organizations which would then qualify under the provisions of Section 501(c)(3) of the Internal Revenue Code and its Regulations as they now exist or as they may hereafter be amended.

12) Notwithstanding any of the above statements of purposes and powers, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the primary purpose of this corporation.

This corporation is organized pursuant to the Texas Non profit Corporation Act and does not contemplate pecuniary gain or profit to the members thereof and is organized for nonprofit purposes.

ARTICLE SIX

The street address of the initial registered office of the corporation is 606 East Spring Valley Road, Richardson, Texas 75081, and the name of its initial registered agent at such address is Jon Bueill.

ARTICLE SEVEN

The Board of Directors constituting the initial Board of Directors is three and the names and addresses of the persons who are to serve as the initial directors are:

- 1) Jon Bueill
606 East Spring Valley Road
Richardson, Texas 75081
- 2) Sandy Bueill
606 East Spring Valley Road
Richardson, Texas 75081
- 3) Ed Haltom
4409 Goodfellow
Dallas, Texas 75229

ARTICLE EIGHT

The name and address of each incorporator is:

- 1) Jon Bueill
606 East Spring Valley Road
Richardson, Texas 75081
- 2) Sandy Bueill
606 East Spring Valley Road
Richardson, Texas 75081
- 3) Ed Haltom
4409 Goodfellow
Dallas, Texas 75229



REDACTED

NON-profit corporation that does not contemplate pecuniary gain or profit to the members thereof and is organized for nonprofit purposes.

ARTICLE SIX

The street address of the initial registered office of the corporation is 606 East Spring Valley Road, Richardson, Texas 75081, and the name of its initial registered agent at such address is Jon Buell.

ARTICLE SEVEN

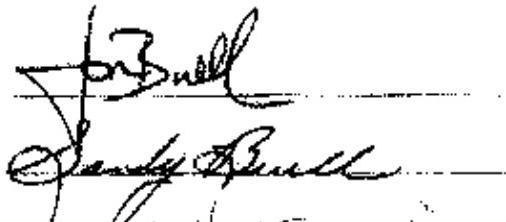
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606 East Spring Valley Road
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- 2) Sandy Buell
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Richardson, Texas 75081
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606 East Spring Valley Road
Richardson, Texas 75081
- 2) Sandy Buell
606 East Spring Valley Road
Richardson, Texas 75081
- 3) Ed Wilson
4409 Goodfellow
Dallas, Texas 75229



Incorporators

18000

THE STATE OF TEXAS,)
COUNTY OF DALLAS.)

BEFORE ME, a notary public, on this day personally appeared

Jeanneville, Leanne, Bethel, and
Edith McCallum, known to me to be the persons
whose names are subscribed to the foregoing document and, being by
me first duly sworn, severally declared that the statements therein
contained are true and correct.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 2nd day
of September A.D., 1990.

L. L. Jackson, Notary Public
Notary Public, State of Texas

(Seal)

My commission expires:

September 20, 1991

BF 000740

HEARING EXHIBIT 4

FTE_what_is_the_FTE_complete

[Transcribed by Nick Matzke of NCSE on 3/29/05.]

WHAT IS THE FOUNDATION FOR THOUGHT AND ETHICS?

Someone has rightly said, "If you wish to alter the destiny of a people, you have only to alter its ideas; actions are the blossoms of thought." The Foundation for Thought and Ethics has been established to introduce biblical perspective into the mainstream of America's humanistic society, confronting the secular thought of modern man with the truth of God's word.

Nearing completion, our first project is a rigorous scientific critique of the theory of prebiotic evolution. Next, we will develop a two-model high school biology textbook that will fairly and impartially [five/the/view] scientific evidences for creation side by side with evolution. (In this case Scripture or even religious doctrine would violate the separation of church and state.) A credentialed author team and a consulting editorial board of scholars are being assembled for the project. The manuscript will be placed with a secular textbook publisher for publication.

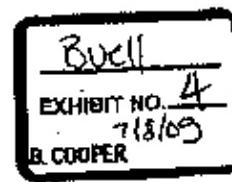
The Foundation's future projects will include publications on a wide range of topics, each vital to shaping the course of our nation's future. Operating primarily as a Christian think tank, the Foundation emphasizes first, publishing, and second, lectures and seminars. 95% of what the Christian press publishes is written to Christians. We've been talking to ourselves! Through the work of the Foundation, Christians are challenged to make their voice and view heard in the published arenas of discourse where the opinion leaders of society must give them genuine consideration.

For more information, contact the Foundation office.

Foundation for Thought and Ethics
PO Box 727 Richardson, Texas 75080

214 669-0522

Page



HEARING EXHIBIT 5



Foundation For Thought And Ethics

CONFIDENTIAL

JON A. BIEHL,
Director
DeWITT KNOX
Director of
Operations
DEAN ANDERSON
Director of
Marketing
MARK D. HARTWIG, Ph.D.
Managing
Editor
BOARD OF
DIRECTORS
CHAIRMAN
Tom E. Bradford, Jr.
James W. Anderson
Lou A. Biegel
William D. Ellis
Jeffrey A. Falke
Ed Feuerstein
Edward O. Fifelemon, Jr.
Lou Gerstung
Louise H. Hite, Jr.
James K. Marley
Gary McCord, M.D.
Brown Powell, Jr.
Peggy Powell
Robert G. Spelling, Sr.
John F. Walkup, Ph.D.
BOARD OF
REFERENCE
Lamar Allen, Ph.D.
Betty A. Bostwick
Bob Boening
Donald K. Campbell, Th. D.
Daniel M. Caffite
Hon. Paul Pressler
Fred Rausch
Frederick D. Severall
Hon. Albert Lee Smith
Norm Scott
Jack A. Tropin
C. David Vettermeier
Tucker Whitehead, Th.D.
Michael J. Wondraff, Esq.
COUNCIL OF ACADEMIC
AND EDUCATIONAL
ADVISORS
Lamar Allen, Ph.D.
Michael L. Behn, Ph.D.
Walter Bradley, Ph.D.
P. William Davis
Charles M. Duke, Jr.
Robert B. Eubank, Ph.D.
Charles Glenn, Ph.D.
Eric Harbaugh
T. Rich Marin, Ph.D.
Robert Mullis, Ph.D.
David H. Kevan, Ph.D.
Gordon C. Mills, Ph.D.
J. David Price, Ph.D.
George Rothe, Ph.D.
Joseph Sistak
Peter J. Sturz, Ph.D.
William H. Stewart, Ph.D.
Charles H. Thaxton, Ph.D.
Walter R. Thomson, Ph.D.
Ronald D. Townsend, Ph.D.
Paul C. Vitz, Ph.D.
John F. Walkup, Ph.D.

February 13, 1995

Dear

I am writing to introduce the Foundation For Thought And Ethics. We are a non-profit organization working in the field of education.

We are pursuing a mission that is totally unique. Our goal is to provide supplemental textbooks to teachers in the public schools, giving them well documented information, so they can teach the truth in the classroom. Our immediate goal is to produce textbooks in the areas of Biology, American History, Health/Sex Education and Environmental Science.

Production of the supplemental textbook for Biology is already complete and teachers are now using it in all 50 states. This book, *Of Pandas and People*, is favorably influencing the way origins is taught in thousands of public school classrooms. We have received wonderful comments from many teachers who have said they are thankful there is now, finally, a book available which enables them to teach origins with a much more balanced view. Based upon your interest I would be happy to send you a copy so you can see the high level of scholarship employed in writing *Of Pandas and People*.

I will enclose some of our other materials as well, including some that will give you an idea of our track record. By the sheer grace of God, He has blessed our hard work with some real breakthroughs.

Our commitment is to see the monopoly of naturalistic curriculum in the schools broken. Presently school curriculum reflects a deep hostility to traditional Christian views and values, and indoctrinates students to this mindset through subtle but persuasive arguments.

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This is not merely a war over ideas, but over young people, and how their lives will be shaped. The current deplorable condition of our schools results in large part from denying the dignity of man created in God's image. Even Junior High students recognize that, if there is no Creator, as textbooks teach, then there is no Lawgiver to Whom they must answer, and therefore no need of a moral lifestyle, much less a respect for the life of their fellowman. The message of the Foundation is that this is simply unacceptable.

The Foundation has been gifted with a strong Board of Directors. The Board is comprised of outstanding business and professional leaders with a history of proven success in business, education, and science (list enclosed). The Foundation has a core plan to which it is committed, and, God willing, we will be pursuing it for decades to come.

Because only eight states adopt supplemental textbooks at the state level, it is possible to do an end-run around the highly politically charged state adoption process by marketing supplemental texts directly to teachers and curriculum buyers. Through our successful experience developing and marketing of *Of Pandas and People*, (in one of the most controversial subjects), we have demonstrated the viability of this concept. Now we have launched work on three additional supplemental textbooks, and plan to do approximately 25 books total, and get them all into the public schools.

We also do teacher training, in a variety of formats, primarily for teachers in public schools. For example, Dr. Robert Kaita is one of the Princeton University nuclear physicists that became famous overnight a year ago last December with a breakthrough nuclear fusion reaction that will lead the way to extraordinarily cheap energy in the 21st Century. We brought Dr. Kaita to speak at our session of the Conference for the Advancement of Science Teaching last October. This conference, called CAST, was attended by 4,500 science teachers from 5 to 8 states. The *Wall Street Journal* sent a writer to cover the event, and the enclosed front page article and letters resulted.

Easily the best known example, however, is our work in organizing and co-sponsoring a symposium on Darwinism in March, 1992, on the campus of Southern Methodist University. In this program, we brought together ten of the finest minds on Darwinism, five Darwinists and five proponents of Intelligent Design with extraordinary results. The impact of this conference has spilled over into the top levels of science, as is described in the enclosed article from *The Real Issue*.

Now the proceedings of the symposium are bound in a new publication, *Darwinism: Science or Philosophy?*, which we are marketing aggressively through science journal reviews, to public school and university faculty, public, university, and high school libraries, etc. Phillip Johnson said, "This symposium has been historic...the best academic conference I have ever been involved in" (which is over 60).

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Sincerely, in Christ,

Jon Buell,
President

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HEARING EXHIBIT 6

n. 96 BF000001

Foundation
For Thought
And Ethics

Send to Prof. Tim Judson

Jon Stull - President

Charles B. Thaxton, Ph.D. - Director of Curriculum Research
January 30, 1987

Mr. Arthur C. Bartlett
Vice President & Publisher
Jones & Bartlett Publishers, Inc.
20 Park Plaza
Boston, MA 02116

Dear Mr. Bartlett,

I'm writing to alert you to a potentially lucrative educational publication opportunity, an opportunity to expand into a subject area where a verifiable market of millions is today totally untouched. A new independent scientific poll (report enclosed) shows almost half of the nation's biology teachers include some creation in their view of biological origins. Many more who don't still believe it should be included in science curriculum.

But wouldn't reference to such views threaten the 1st Amendment separation requirement?

The U.S. Fifth Circuit Court of Appeals says that teachers are free to teach scientific information that happens to support creation if they wish. In ruling on the so-called Louisiana "Balanced Treatment Act" this Spring the U.S. Supreme Court may not affirm state-mandated teaching of creation, but they will almost certainly let stand the above academic freedom for teachers.

But that seems not so much like a market as a curiosity.

Numerous reliable polls (sampling enclosed) in the '80s show better than 3/4 of the public wants creation taught in the schools.

But surely teachers prefer their own personal comments to some curriculum approach.

No, the biology teachers poll shows almost all teachers believe strengths and weaknesses of a plausible alternative to the dominant theory should be given and nearly 3 in every 4 want publishers' help in expanding it!

But what is the potential for profit in such a departure?

The enclosed projections showing revenues of over 6.5 million in five years are based upon modest expectations for the market provided the U.S. Supreme Court does not uphold the Louisiana "Balanced Treatment Act". If, by chance it should uphold it, then you can throw out these projections, the nationwide market would be explosive!

n. 96

Mr. Arthur C. Bartlett
January 30, 1987
Page 2

How could you even begin to develop an enlightened treatment in a difficult area like this?

The beginning has begun! A no-hype, no-nonsense supplement has already been written. Highly informed and credentialed, non-controversial scientists have collaborated together to provide an outstanding, heavily-reviewed manuscript for just this very task.

How would you break the ice to market such an innovative book?

The book is already in use as an experimental program in one school district, and other districts are expressing interest, too. The book qualifies for the new Texas Science Supplements list (where 2/3 of the biology teachers include some creation in their views) without undergoing the textbook review process so famous for basal text adoptions.

Our manuscript is entitled Biology and Origins. From the project's inception, our authors recognized such a book could not sidestep the valid criticisms of creation, but must take them seriously, treating the subject with a sensitive and critical approach. At the same time, the book will not be subject to the major criticism of creation, that the supernatural lies outside of science, because its central statement is that scientific evidence points to an intelligent cause, but that science is silent as to whether that intelligence is within or beyond the material universe. So the book is not appealing to the supernatural.

Biology and Origins does not duplicate either general science or biology textbooks. It has been authored by highly gifted and credentialed, previously published authors of major works of biology (Daan Kenyon, co-author of Biochemical Predestination, New York: McGraw Hill, 1969 and P. William Davis, co-author of World of Biology, Philadelphia: W. B. Saunders & Co., 1985). The manuscript has also been evaluated by dozens of reputable scientists of both evolution and creation persuasions. In addition, the authors' perspective is substantially informed by the philosophy of science to handle tricky questions clearly and in a manner consistent with sound scientific methodology.

In case you would like to see an example of our work, we are enclosing some material and reviews about our first book, The Mystery of Life's Origin (New York: Philosophical Library Publishers, 1984), which is an advanced college level critique of chemical evolution. It is now the best selling advanced level book on chemical evolution. The major author among the three authors of the book is Charles Thaxton, our Director of Curriculum Research, and the manuscript was prepared for publication by the Foundation For Thought and Ethics. A copy is enclosed. You will notice that among its favorable reviews are those published by the Yale Journal of Biology and Medicine and the Journal of College Science Teaching, published by the National Science Teachers Association.

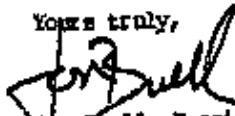
We are in touch with a number of science educators, school officials, and university faculty. We have a growing Council of Educational Advisors composed of prestigious intellectual leaders (list enclosed) and a much larger peer review group of readers and scholars with whom we have been interacting.

BF 000002

Mr. Arthur C. Bartlett
January 30, 1987
Page 3

Undertaking a high school level project would not require new marketing people for Jones & Bartlett. Since in the majority of state adoption states supplements don't require state textbook committee approval, we believe the book will sell very well throughout the U.S. through mailings and distributions of complimentary copies via readily available lists. We could also share other marketing ideas for the book appropriate to its innovative and groundbreaking subject matter. Also, it is possible our organization could be involved in promoting it, preparing residuals, or taking other roles. I will call you after you have had several days to look over our materials to see if you would be interested in receiving the manuscript.

Yours truly,



Jon Buell, President,
Foundation for Thought
and Ethics

JB/am
Enclosures

BF 000003

COUNCIL OF ACADEMIC AND EDUCATIONAL ADVISORS

Foundation for Thought and Ethics

Charles R. Thaxton, Ph.D., Director of Curriculum Research, Foundation for Thought and Ethics, coauthor of The Mystery of Life's Origin.

George Roche, Ph.D., President of Hillsdale College, Chairman of National Council of Educational Research.

Charles Glenn, Ph.D., Director of the Bureau of Equal Educational Opportunity, Massachusetts Department of Education.

Peter J. Stanlis, Ph.D., Professor of English, Rockford College, Fellow of the National Endowment for the Humanities, author of Edmund Burke and the Natural Law and several other books.

T. Rick Irvin, Ph.D., Asst. Professor of Toxicology and Genetics and Principal Scientist, Division of Engineering Toxicology, Texas A&M University.

Ronald D. Townsend, Ph.D., Director of Curriculum, School Board of Sarasota County.

Dean H. Kenyon, Ph.D., Professor of Biology, San Francisco State University, coauthor of Biochemical Predetermination.

P. William Davis, Professor of Biology, Hillsborough Community College, coauthor of World of Biology and several other textbooks for McGraw-Hill and W. B. Saunders & Co.

Robert E. Babcock, Ph.D., Professor of Political Science, Rice University

Joseph Sobran, Senior Editor of National Review, nationally syndicated columnist, author, and regular commentator on CBS News feature, "Spectrum".

Walter Bradley, Ph.D., Professor of Materials Science, Texas A&M University, coauthor of The Mystery of Life's Origin.

Paul C. Vitz, Ph.D., Professor of Psychology, New York University, Director of special study on textbook bias for the National Education Institute.

William H. Stewart, Ph.D., Professor of Political Science, University of Alabama, Director of Doctoral Program in Public Administration, author of several journal articles and books on public policy.

Lester Allen, Ph.D., Senior Vice President, Martin Marietta, and developer of F-14 Fighter and B-1 Bomber protection systems.

John P. Walkup, Ph.D., Hon. Professor of Electrical Engineering and Director of the Optical Systems Laboratory, Texas Tech University.

NATIONWIDE POLL OF BIOLOGY TEACHERS

A SUMMARY

In the 1980s several polls of both the general public and of educators have been taken to determine attitudes toward teaching creation in public schools. None of these polls, however, singled out the views of biology teachers for examination. Late in the 1985-86 school year a poll of high school biology teachers was taken concerning the teaching of origins. The Foundation for Thought and Ethics commissioned an outside research organization, Austin Analytical Consulting, to obtain a genuinely representative sample of the opinion of high school biology teachers nationwide, including concentrations in the three largest textbook buying states: Texas, California, and New York.

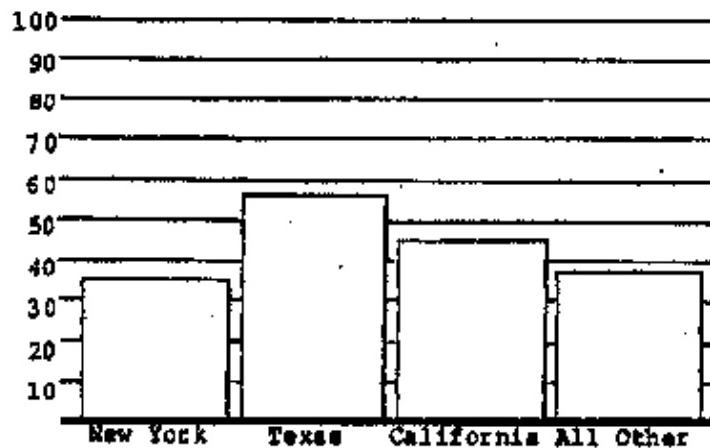
The poll also compared the attitudes and views of seasoned teachers with less experienced ones. The answers given by teachers with 10 years experience or less varied only slightly from answers given by those with 11 or more years. In only one case did the opinions of either group vary as much as 5% from the total sample. Those having taught 10 years or less chose naturalistic chemical evolution as their view of the origin of the first life on earth 5% more than did the total sample.

TEACHERS' VIEWS SURVEYED

The poll brought to light several unexpected findings. For instance, in the rather straightforward matter of the teachers' personal views of biological origins, 42.3% chose either straight creation, or some combination of evolution and creation. This is only 11.4% fewer than the 53.7% who chose evolution.

But there were substantial regional differences in teachers' views, as illustrated in how they answered this question. The graph below compares the percentages of those with views incorporating some creation for New York (34%), Texas (57.1%), California (44.7%), and all others (37.8%).

Percent of Teachers With Views Incorporating Some Creation



-2-

POLL MEASURES KEY CONCEPTS

Like evolution, creation is a broad concept with many variations. Therefore the questions were designed to measure opinions relating to some of the individual objections to creation and key concepts underlying the debate.

six frequent objections to creation were given with which teachers could indicate agreement, as well as a write-in space for others. The greatest single objection (46.6%) was that "Proponents of creation are too biased to contribute to the advance of science, exaggerating both the evidence for creation and the problems of evolution." Then they were asked if an approach were developed that would meet the objections they identified and avoid each of the mistakes, would they still remain opposed to it's use in schools? A majority, 58.4% said they would not.

FREE EXCHANGE CALLED FOR

The Austin Analytical poll quoted well-known evolutionists Theodosius Dobzhansky and G. G. Simpson who noted that origin events are singularities, occurring only once. It then pointed out that origin events themselves were therefore not subject to empirical test. Teachers were asked about the significance of this isolation. 47.3% said the isolation of origin events from empirical test was only temporary, but another 17.1% felt such isolation may be a door of opportunity for the undetected influence of metaphysics in areas of dispute. Those who saw this possibility were asked how to counteract such an invasion of metaphysics. 88.4% saw free exchange of viewpoints as the appropriate deterrent, 10.5% chose the statements of professional organizations, and only 1.1% chose majority rule.

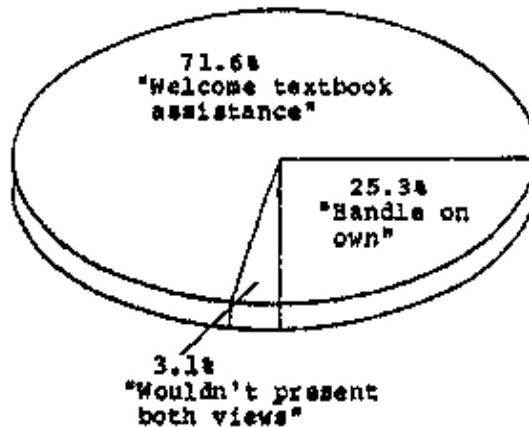
Those who said that the isolation of origin events from empirical test was only temporary were not asked about appropriate treatment of theories during this "window of uncertainty," but another question asked was "When a plausible alternative to the dominant scientific theory exists, how would you treat that theory in an objective educational manner?" Choices offered were: a. "Teach the theory with the most adherents and ignore the plausible alternative", b. "Just teach your personal view", c. "Give strengths and weaknesses of the dominant theory and of the plausible alternative." Fully 96.9% chose alternative c.

TEACHERS WELCOME TEXTBOOK ASSISTANCE

An additional question of implementation was put to those who chose c. Would they "welcome assistance from a textbook publisher in the form of supplementary material" or would they "prefer to handle it on [their] own?" Among teachers with 11 or more years of experience, the answers to these two questions taken together show that all but 3.1% felt that the strengths and weaknesses of both the dominant theory and plausible alternative should be taught. 25.3% felt they should be taught, but preferred to handle it on their own, while 71.6% said strengths and weaknesses of both should be taught and they would welcome assistance from a textbook publisher in the form of supplementary materials to teach them.

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-3-



But were the poll takers putting words into the teachers' mouths? Perhaps they wouldn't feel there is a plausible alternative. They weren't asked. Yet as reported earlier, 42.3% incorporates some creation in their own view. It is not hard to conclude from these answers that, taken together, teachers themselves perceive a plausible alternative.

One of the poll's most surprising findings resulted when teachers were told "Check any of the following classroom activities which you believe would violate the separation of church and state." Choices included merely mentioning creation or a Creator, giving only weaknesses of creation, and giving strengths and weaknesses of creation. The most frequently checked option, (61.8%) was giving only the weaknesses of creation.

Teachers were also told of a secondary finding of the U. S. Fifth Circuit Court of Appeals in reviewing the Louisiana "Balanced Treatment Act." In its July 8, 1985 opinion, the Court stated that teachers are free to teach scientific information that may happen to be consistent with a religious viewpoint. When asked for their opinion, 72.8% of the biology teachers said they agreed with the Court's findings.

Austin Analytical Consulting observed all of the conventional research procedures in conducting the poll, and, with 305 teachers responding, obtained a result representing biology teachers nationwide with a confidence interval of 95% (standard in the industry).

For further information contact:
JOE BUELL
FOUNDATION FOR THOUGHT AND ETHICS
P.O. BOX 830721
RICHARDSON, TX 75083-0721
(214) 669-3400

BF 000007

HEARING EXHIBIT 7

Intro
builds case for
experience well but
doesn't relate it to Science

INTRODUCTION TO
SUMMARY CHAPTER

CONFIDENTIAL

The Origins Question

The study of origins means asking, Where did things come from? What caused them to come into being? In the world around us, we see two kinds of things: natural objects, like stars and mountains, and man-made ~~things~~, like houses and computers. To put it in the terminology of origins, we see things resulting from two kinds of causes: natural and intelligent.

How do we decide whether something is the result of natural or intelligent causes? Most of us do it without even thinking. We see clouds and we know they are the result of natural causes. No matter how intricate the shapes may be, we know that a cloud is simply water vapor shaped by the wind and the temperature. On the other hand, we may see something that looks very much like a cloud but that spells out the words "Come to the circus." We know that even though they are white and fluffy like a cloud, the words cannot be the result of natural causes. Why not? Because natural causes never give rise to a complex structure such as a language. We know that somewhere nearby there must be an intelligent cause: the pilot of an airplane doing skywriting.

5 or so examples follow: A little too many.

Consider a few more examples. Hiking along a dry stream bed, you find a smooth rock. Is it the result of natural or intelligent causes? Natural, of course. We know a rock is worn smooth when it is tumbled around and eroded by water. Even if the rock exhibits an unusual shape, we can determine that the shape formed naturally if the softer parts are worn away and the

2

harder parts are protruding. In other words, the structure is the result of the inherent characteristics of the raw materials. But when you discover an arrowhead, you instantly conclude that it is the result not of natural but of intelligent causes. ~~The chip marks go against the natural grain of the stone, revealing that the shape was~~ ^{is} not the result of any properties inherent in the rock but was imposed from outside--probably by an Indian of long ago.

Walking along the beach, you admire the even pattern of ripples in the sand. The scene may look artistic, but was it produced by an artist? No; we know by experience that the natural action of waves creates a rippled pattern. But if you chance upon ^{a message of} ~~the words~~ ^{in English} "John loves Mary" written in the sand, you know without a doubt that no waves did that. Neither is it the result of grains of sand spontaneously organizing themselves. Instead, some sort of intelligent agent--probably either John or Mary--~~imposed the shape of~~ ⁱⁿ inscribed the words upon the sand.

(main text continues)

A sunset is beautiful. But though it may inspire poets, a sunset is the result of purely natural causes, of light striking the atmosphere at a certain angle. A painting of a sunset has the same beautiful array of colors. But there are no natural causes capable of creating a painting. Nothing in the fabric of the canvas determines that the painting should contain a sunset. Nothing in the paint pigment is responsible for creating a lovely landscape. A pattern they would never have achieved on their own was imposed upon the raw materials.

CONFIDENTIAL

SUMMARY CHAPTER

3

What do these examples tell us? The way we decide whether a given object is the result of natural or intelligent causes is by experience. If experience has shown that a certain type of object results from natural causes, then when we find a similar kind of object we ~~assign its origin to~~ ^{conclude that it came from similar} natural causes. If experience has shown that a certain type of object results from intelligent causes, then when we find a similar object we ~~assign~~ ^{know} its origin to intelligent causes, ^{because} ~~too~~.

This book is about the origin of life. Where did life come from? What caused it to come into being? Do living things exhibit the characteristics that we see resulting from natural causes or from an intelligent cause? This is the question that divides evolutionists and creationists in modern controversies in biology. Evolution is the theory that natural causes are adequate to account for everything in the natural world, including life itself. Creation is the theory that certain phenomena must be explained by intelligent causes. In this book, we counterpose these two theories about life's origin. How do scientists on each side argue their case? What evidence do they present? Which theory best fits the evidence?

This sets the stage for conflict

In this chapter is a summary of the major arguments presented throughout the book. You may read this chapter on its own or as an introduction to the more detailed treatment of each subject in later chapters.

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SUMMARY CHAPTER

4

Chapter One: The First Living Things

Life From Life

There was a time when people believed some animals arose full-blown from non-living materials. The belief was called "spontaneous generation." Today it might seem to be no more than a superstition, but at one time the idea seemed to be confirmed by common-sense experience. Leave rotting meat out, and isn't it quickly covered with flies? Leave dirty rags in the corner of a shed, and doesn't it soon become a nest of mice?

With the rise of scientific method, however, belief in spontaneous generation was discredited. In 1668 Francesco Redi conducted experiments in which he ----- ((showed that flies and mice don't simply appear--get more info)).

The idea of spontaneous generation was revived in ((year?)) when the microscope was invented. The microscope revealed the existence of a world hitherto invisible and unsuspected. Microscopic creatures were so small, and appeared to be so simple, that it was not difficult to believe they arose spontaneously from non-living materials. After all, leave bits of straw in a pan of water for a few days, and isn't the water swarming with bacteria?

In the early 1860s, Louis Pasteur laid that notion to rest as well. He showed that water could be kept free of bacteria simply by putting cotton stoppers in the flasks. By doing so, he proved that the microscopic life that mysteriously appeared in water was the result of airborne bacteria. ((check facts))

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Pasteur's work was all very well for the advance of scientific knowledge, but it was somewhat troubling for evolutionists. Redi and Pasteur had shown that full-blown organisms do not arise from non-living materials, whether mice or microbes. Yet evolution is the theory that, at least at the beginning, life did arise from non-living matter. How was that possible?

In ((year?)), a Russian scientist named A.I. Oparin came up with a theory he hoped would solve the problem. Living things did come from non-living matter, he suggested, but not all at once. Instead, life arose by stages: Simple chemicals combined to form complex compounds, such as amino acids, which in turn combined to form large, complex molecules, such as proteins and DNA, which aggregated to form an interconnecting network and a cell wall. And there was the first living cell. Oparin's theory is referred to as **chemical evolution** (because it assumes life began in a sea of chemicals) or **prebiotic evolution** (prebiotic means "before life"). It has become the standard evolutionary approach to the origin of life.

*Note to JB:
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(see Yockey)*

*The contro
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It can be said that the contemporary controversy over creation and evolution represents a revival of the controversy over spontaneous generation in a new form. Evolutionists are convinced that Oparin's step-wise theory overcomes the problems of life arising from non-living matter. Creationists counter that life is too complex to evolve from non-living matter even when the process is broken down into small steps. The structure

color word

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of complex molecules, they argue, exhibits the characteristics we associate only with intelligent causes.

The Necessities of Life

Before we consider various answers to the origin of life, we must first understand what the questions are. We must set out the features of life that require explanation. What are the basic facts that any theory of the origin of life must take into account?

Fact #1. All life is made of chemicals. Although the functioning of a living cell is marvelously complex, its components are relatively simple. *Moreover,* these simple organic compounds can be derived from inorganic materials.

Not only that,

Facts of incomplete

Fact #2. All life is made of chemicals--but that is only half the story. These chemicals must be in the right sequence. The large molecules crucial to life, such as protein and DNA, are constructed much like a language, with the chemicals acting as letters and combining to form words, phrases, and sentences. This represents an incredibly complex and unusual structure in nature.

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Fact #3. The compounds that form protein and DNA must not only be in correct sequence, they must also form the right three-dimensional shape. Amino acids, sugars, protein, and DNA all

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have a very specific three-dimensional structure. When they are synthesized in the laboratory, they may have the right chemical constituents but still exhibit the wrong three-dimensional form.

For example, amino acids appear in two forms that are mirror images of each other, just as a right and left glove are mirror images. Indeed, they are referred to as right- and left-handed amino acids. When amino acids are synthesized in the laboratory, the result is a mixture of both forms, like a pile of right- and left-handed gloves. Yet living things use only left-handed amino acids. Right-handed ones don't "fit" the metabolism of the cell, any more than a right-handed glove would fit onto your left hand. If just one right-handed amino acid finds its way into a protein, the protein loses its ability to function. Strangely, by contrast, only right-handed sugars are used in DNA and RNA. Any theory of life's origin must account for the highly specific sequence and structure of these molecules.

This argument does not deserve the space of tables from others

These are some of the facts every theory about the origin of life must address. Let's contrast how effectively they are addressed first by evolution and then by creation.

Evolution: Life in a Test Tube

One of the advantages of Oparin's theory was that to some extent it could be tested. Scientists could mix batches of chemicals in a test tube and see whether or not amino acids would form. They could then mix amino acids and see if proteins

*Tell up front the true
natural fact that these experiments are supposed to simulate early earth conditions.*

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formed. And that is what scientists have done. Since the early 1950s, many experiments have been conducted testing Oparin's hypothesis. What have been the results?

Oparin suggested that life arose from chemical reactions among simple gases in the atmosphere: methane, ethane, ammonia, hydrogen and water vapor. The chemical reactions were activated by various forms of energy in the environment--by electrical energy from lightning, heat energy from volcanos, kinetic energy from earthquakes, or light energy from the sun. According to the theory, energy caused the atmospheric gases to convert into more complicated compounds to form amino acids, fatty acids, and sugars. These accumulated in the primitive oceans until there were enough to link up and form even larger, more complex molecules, such as proteins and DNA. Eventually these molecules combined to form integrated particles called coacervates ((definition??)), The early coacervates competed in a sort of Darwinian natural selection until the first true cell appeared, complete with cell membrane, complex metabolism, genetic coding, and the ability to reproduce.

How has this theory been tested in the laboratory?

Scientists have taken the simple gases suggested by Oparin, mixed them in a glass container, and then subjected them to ultraviolet light (to simulate sunlight) or electrical discharges (to simulate lightning). In ((year?)) Stanley Miller and Harold Urey ran the first of such experiments. A gooey, tar-like substance formed in the flask. Examining it, Miller identified several of

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Moreover, the complexity of organic compounds jumps dramatically once we go beyond the initial building blocks, as Fact #2 and #3 indicate. Though it is true that life is made of simple chemicals, we should not conclude that living things are themselves simple. Shakespeare's sonnets are composed of simple letters put together to form words and phrases. But that does not mean we can write a Shakespearean sonnet by mixing Scrabble letters and combining them at random.

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Can protein and DNA be "written" by mixing chemical "letters" and combining them at random? As we shall see, most scientists today doubt it. Evolutionary theory has been revised in a way still largely unknown outside the scientific community.

Not a Chance

*Since the
late 60s*

Most people would define evolution as the theory that life arose by sheer chance. But most people would be wrong. Over the last ~~fifteen~~^{forty} years or so ((correct date?)), scientists have abandoned the idea the life arose by chance. Today there is not a single major scientist engaged in origin-of-life research who holds to the chance model.

Why have scientists given up on chance explanations? The reason is that the probability of life arising by chance is virtually zero. Take one very simple example. Consider the chance formation of a single protein containing only 100 amino acids (most proteins actually contain several thousand). There are 20 different kinds found in living proteins, and each can be

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used repeatedly in a chain of 100. Therefore, they can be arranged in ~~20~~¹⁰ different ways. This number can be rewritten as 10^{130} --i.e., 10 followed by 130 zeros. In other words, there is only one chance in 10^{130} of getting a combination of amino acids that form a protein with a given biological function. This number is so enormous that there has not been enough time since the universe began (if we allow that it is 15 billion years old) to try all the different combinations. ((verify these numbers))

ignores no tolerances

These numbers are so forbidding that most scientists today are convinced that there must have been something at work at the origin of life besides random processes. Chance models have been replaced with materialistic models (some force within matter gave rise to life) or with intelligence models (some intelligent agent created life). By materialistic models, we mean that some force within the atomic structure itself is thought to be responsible for driving chemicals together in the correct sequence to form protein and DNA. By intelligence models, we mean some form of creation.

start over

attracting specific

Creation: A Mind At Work

Scientists who adhere to an intelligence model of life's origin have a double task. As adherents to a minority view within the scientific community, they must first argue negatively against the predominant view in order to gain a hearing. Then they must present a positive case for their model.

drags debate in uncessarily

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This (O₂) standard evolutionary scenario of life's origin. A significant barrier faced by theories of chemical evolution is that chemicals are sensitive to oxygen. Oxygen destroys delicate chemical compounds by reacting with them, a process called **oxidation**.
P. 6
#3 on.

(Many food preservatives are simply substances that protect food from the effects of oxidation.) The presence of even a small amount of oxygen in the atmosphere of the early earth would destroy any organic compounds that might form.

For this reason, the standard theory of chemical evolution assumes that there was no oxygen present in the earth's atmosphere at the origin of life. Yet scientists now know that oxygen has always been present on the earth. Rocks dated the same time that life was supposedly developing show signs of exposure to oxygen. Just as iron rusts, so many minerals react with oxygen. ((fill in as necessary from p. 1-15 as get more info))

A second barrier faced by any theory of chemical evolution can be stated as a paradox. Some chemicals react quite readily with one another. Others resist reacting. To make them react, they must be exposed to some form of energy (to heat, for example, or to electricity). But--and here is the paradox--energy also breaks chemical compounds apart. In fact, it is actually more likely to break them apart than to cause them to bond in the first place.

¹² No - don't give crea-
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ments but they
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the "facts"
1-3
Summary of
notes
Assumptions
3, 5, 7

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What this means for the chemist is that when he exposes a mix of chemicals to heat or electricity, some compounds may form but others will break down. Indeed, since the process of destruction is actually more likely to occur, the net result will be only a small amount of chemical compounds. Those that do form will generally be simple ones, since any complex molecules that might form would quickly break back down to their simpler components.

To summarize, the conditions that would have existed on the early earth were far from favorable to the emergence of living things. The most probable scenario of early earth history is not one of evolution but of destruction.

The Language of Life

Since the 1960s, scientists have known that at the core of the living cell is the DNA molecule. The DNA is a string of chemicals that functions precisely like a coded message. Its chemical "language" contains instructions for the entire development and functioning of the cell. It is decoded by the cell much the same way a string of dots and dashes can be decoded by anyone who knows Morse Code.

In other words, when scientists first probed the nucleus of the cell, they stumbled upon a phenomenon akin to finding "John loves Mary" in the sand or "Come to the circus" in the sky. The only difference is that the DNA code is much more complex. If the amount of information contained in one cell of your body were

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Is this true?

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written out on a typewriter, it would fill as many books as are contained in a large library.

When we find "John loves Mary" written in the sand, we assume it resulted from an intelligent cause. When we find a complex code built into the nucleus of a cell, it is reasonable to draw the same conclusion. Moreover, DNA is not unique.

Protein, too, exhibits the structure of a language, with simple chemicals as letters and amino acids as words. Protein differs from DNA in that its code governs not heredity and development but various functions within the cell. Some proteins construct various substances required by the cell. Others act as timers to make sure all the various processes of the cell go on in the correct order. These functions are determined by the sequence and structure of the amino acids in each protein.

but doesn't code for

but derivative relationship

We often get the impression that scientists have come close to "creating life" in the laboratory. Yet compounds synthesized in the laboratory fail to exhibit the sequences and the three-dimensional structure necessary for biological functioning (Fact #2 and #3). Are natural causes capable of producing this kind of structure?

To say that DNA and protein arose by natural causes, as *like saying* evolution does, is ~~to say~~ a complex language arose by natural causes. It is akin to saying "John loves Mary" arose from the action of the waves, or from the interaction of the grains of sand. It is like saying the painting of a sunset arose from the atoms in the paint and canvas. When in our experience have we

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ever witnessed an event of that nature? Whenever we see meaningful symbols we assume it is the handwork of some intelligent cause. We make that assumption even if we cannot decipher the symbols, as when an archaeologist discovers some ancient inscription on stone. If science is based upon experience, then science tells us the origin of the message ^{en} coded for in protein ~~and~~ DNA must have had an intelligent cause origin.

What kind of intelligent agent was it? On its own, science ~~probably~~ cannot answer that question; it ~~will have to turn~~ to religion and philosophy. But that should not prevent science from acknowledging evidences for an intelligent cause origin wherever they may exist.

Chapter 2: The Story in the Rocks

It is difficult for us to imagine the surprise people felt when they first discovered fossils. To find the shape of an animal entombed in the earth, and made of stone--what mystery was ^{superstitions} this? In an age ^{a known} ^{is it?} that still believed in magic, it was easy to attribute the existence of fossils to some mysterious force within the earth itself. Only over time did people become convinced that once-living plants and animals could actually turn to stone if buried under the right conditions. If buried quickly enough (before being eaten away by decay or scavengers), and if buried where the groundwater is rich in the right minerals, any plant or animal can become a fossil.

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Scientists now read the fossil record as a chronicle of life in former ages. Skeletons, footprints, tracks, leaves, spores, ~~worm burrows~~, animal tracks, and even bits of hide can all be found as fossils. By interpreting these clues, scientists seek to reconstruct what living things were like in the past.

What story do the rocks tell? Like everything in science, the answer to that question depends upon one's interpretation of the facts. There are several basic features of the fossil record that must be accounted for by any interpretation:

Fact #1. Taxonomy is the science of biological classification. Living things are classified as members of a species, then of a genus, family, order, class, and phylum. Each of these categories is referred to as a taxon. ((add a chart showing categories?))

An interesting feature of the fossil record is that the vast majority of the known phyla of plants and animals (over 95%) appear within a very short period, geologically speaking. There is a veritable "explosion" of life forms recorded in the rocks. Any theory of life's origin must explain how all the major body plans for living things appeared virtually at once.

Fact #2. A definite sequence of fossils appears to run throughout much of the fossil record. For example, among vertebrates, we often find fish in the lowest rock strata,

or right at
the beginning
of the history
of life

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followed by amphibians, then reptiles, then birds, and then
mammals.

(Simultaneous call)

Facts #3. Although fossils form a rough sequence, the various types are not connected to one another. There is no gradual series of forms leading from fish to amphibians, or from reptiles to birds. Instead, fossil types are fully formed and functional when they first appear in the fossil record. For example, we don't find creatures that are partly fish and partly something else, leading gradually up to true fish. Instead, fish have all the characteristics of true fish from the earliest known fossils, reptiles have all the characteristics of true reptiles, and so on.

Fact #4. Moreover, once a fossil type does appear, it remains relatively unchanged throughout the fossil record. Instead of gradually transforming into another type, it merely diversifies within type. This characteristic of the fossil record is referred to as stasis. In other words, the fossils parallel what breeders have discovered: we may get all sorts of interesting and unusual varieties of roses or dogs, but each retains the diagnostic features that make it a rose or a dog.

Darwin: The "Gravest Objection Against My Theory"

In Darwin's day, the dominant interpretation of the fossil record was creationist. Scientists explained the succession of

"retain
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Were

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fossil types as evidence of a series of separate acts of special creation. Darwin's theory eventually overthrew all previous interpretations, however. His theory of evolution posited that living things formed a continuous chain back to an original, primeval cell.

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few - Andrew
P. 131*

Does Darwin's theory match the story told by the fossils? To find out, we must first ask, What kind of story would his theory match? If Darwin's theory is true, the fossils should show a continuous chain of creatures, each taxon (taxonomic category) leading smoothly to the next. In other words, there should be a vast number of transitional forms connecting each taxon *with the next*. The differences separating invertebrates and the first fish, for example, or reptiles and the first birds, are so great that they could only be bridged by a huge number of transitional forms. As Darwin himself noted in The Origin of Species, "The number of intermediate varieties, which have formerly existed on earth, [must] be truly enormous."

*use a
different*

Yet this enormous number of intermediates simply does not exist in the fossil record. The fossils do not reveal a string of creatures leading up to fish, or to birds, or to mammals. Darwin conceded this fact: "Why then is not every geological formation and every stratum full of such intermediate links? Geology assuredly does not reveal any such finely graduated organic chain." Indeed, this was, in Darwin's own words, "the most obvious and gravest objection which can be urged against my theory."

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And yet, fossil findings were still quite patchy in Darwin's day. The fossils discovered to that point were scattered here and there across the map of fossil types. Darwin placed his bet on the hope that intermediates connecting these individual fossils might still be found.

Thus began the search for "missing links." Convinced by Darwin's theory that fossil **taxa** (plural of taxon) must be linked by a graded series of intermediates, scientists began an intensive search. A few odd-ball types did show up that failed to fit neatly within any existing taxa, like the so-called reptile-bird Archaeopteryx, and these have been considered by some scientists to be intermediates. But most of the candidates for missing-link status have been rejected. Like the duck-billed platypus living in Australia today--which has a bill like a duck but fur like a mammal--these forms displayed mixed features without being true evolutionary links.

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For over a century, paleontologists (scientists who study fossils) were puzzled by this glaring lack of transitional fossils. It was one thing to hold out the hope of finding missing links in Darwin's day when the science of paleontology was still in its infancy. The failure to find them could be attributed to a simple failure to search hard enough. But it is another thing to continue to hold out the same hope today, after 125 years of searching. Today the number of fossils that have been unearthed is staggering. About a quarter of a million

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fossil species have been catalogued, and new ones are being discovered faster than they can be catalogued.

As larger numbers of fossils were found, they began to etch a definite pattern. Instead of forming a graded series, as Darwin had hoped, the fossils filled in existing taxa and left the gaps between them conspicuously empty. The pattern of the fossils is one of clusters separated by gaps. ((include a diagram something like Ross' "Discontinuous Conclusion"))*see next page*
Perhaps that should not be surprising--it is, after all, precisely what we see among living organisms as well. There are many breeds of horses, but they are clearly separated from cows; there are many varieties of corn, but no one would confuse them with wheat. Varieties cluster around a basic morphological design (morph means form, shape, structure) rather than leading smoothly from one design to the next.

Evolution By Leaps

In recent years, Darwin's theory has been rejected by most scientists. Does that mean these scientists have rejected evolution itself? Not at all. Most are simply seeking to formulate new ideas about how evolution works. Since the fossil record shows clusters separated by gaps, scientists are trying to conjecture what sort of evolutionary process would leave such a pattern. The current view is that evolution is a step-wise process, remaining on a single level for some time (clusters, or

or, scientists have rejected more and more of Darwin's theory

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I have understood
gradual stasis as
a term describing
longevity in
the fossil record
not as
cyclic, not as
a biological
term. Am I
wrong?

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(stasis), then jumping to the next level so suddenly that the process leaves little fossil evidence (gaps).

A major proponent of the new theory of evolution is Stephen Jay Gould, a paleontologist at Harvard University. He calls his theory **punctuated equilibrium**. Equilibrium refers to the fact that taxa remain relatively stable for long periods of time (stasis). Changes that do occur represent diversification within type, not progress to a new type. According to the theory, this stability is sometimes broken--punctuated--by a sudden leap to a new taxon. Since only a small population of organisms undergoes this dramatic evolutionary leap, the transitional forms involved are few. Those that happened to fossilize are even fewer. Hence the gaps in the fossil record.

Gould's theory is only one of several approaches currently being investigated by scientists. The attractive feature of the new theories of evolution is that they account for Fact #3 and #4--the gaps in the fossil record--where Darwin's theory failed. Until recently, most people viewed Darwinism as nearly synonymous with evolution. But today scientists distinguish the belief that living things evolved from theories about how they evolved.
(whether slow and gradual or sudden and jerky)

Creation: Taking the Rocks At Face Value

The newer forms of evolutionary theory may fit the facts better, but their weakness is that they are based upon negative evidence. There is still no positive fossil evidence for

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evolutionary descent from one taxon to the next. The fossils show diversification within type but not progression from one type to another.

Taking the rocks at face value, one might conclude that there never was a progression from one type to another--that each type originated independently. This is the creationist position. Creation is the theory that various forms of life began abruptly, with their distinctive features already intact: fish with fins and scales, birds with feathers and wings, mammals with fur and mammary glands. Gaps exist in the fossil record not because vast numbers of transitional forms mysteriously failed to fossilize but because they never existed.

Just as there are more than one approach to evolution, so there is more than one approach to creation. Creationist theories split over Fact #2, the order of the fossils. Is there a sequence in the fossils and, if there is, what does it mean? The standard evolutionary interpretation is that rock strata around the world were laid down over several million years. Thus, they document a time sequence: Organisms that appear as fossils in lower strata lived earlier than those in higher strata. The evolutionist concludes that the later set developed from the earlier.

Among creationists there is considerable scepticism regarding this traditional interpretation. Three major alternative interpretations are found in creationist literature:

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1) **Old-Earth Creation.** Some creationists accept the same time sequence in the rocks as evolutionists do--but they draw a different conclusion. They propose that at various times throughout the history of the earth, an intelligent agent stepped into the course of natural history to create a new type of living thing. The gaps in the fossil record result from these creative acts. This position is sometimes referred to as Progressive Creation.

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2) **Young-Earth Creation.** Other creationists acknowledge a certain order in the fossils but argue that it does not necessarily indicate a passage of time. It is possible that the earth is actually quite young and that the order we see in the rocks is due to something besides a progression of life forms.

For instance, in pre-Darwinian geology the fossil record was viewed as the result of a series of catastrophic events, such as floods and volcanic eruptions, each of which lay down thick strata within a very short time. Many modern creationists hold to this view, and consider different fossil groupings to be the result of ecological zonation: Marine animals are buried in different strata from land animals not because they evolved earlier but because they lived in different places.

Some creationists go further and consider all strata to be the result of a single, world-wide catastrophe. Fossils are found only in sedimentary rock, i.e., water-laid rock or volcanic ash. It is possible to attribute all the sedimentary rock layers

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that cover the globe to a single, enormous disruption that caused both a flood and extensive volcanic activity. This position is sometimes referred to as Flood Geology. The order in the fossils is said to be the result of ecological zonation and hydraulic sorting, i.e., the tendency of moving water to sort things by size and shape.

3) **Agnostic Creationists.** Under this label we include scientists who deny that there is any real order in the fossil record at all. The much-touted sequence of the fossils simply does not exist, they argue. Nowhere do we find anything like a complete record of all the geological ages in one place. Most sites contain only a tiny fraction of the entire geological column. Moreover, large areas of the world are out of order for evolutionary theory. The entire Alps, for example, has so-called older fossils lying on top of so-called younger fossils.

What is the alternative in top of this group (who are they?)

The "sequence" of the fossils is a paper construct only. It is put together by plugging in various segments from all over the world, many of which do not actually lie one above the other. So fragmentary is the evidence that putting the fossils together to tell the story of evolution is like putting a book together from bits of paper containing only words and phrases scattered all over the world.

Finally, new fossil discoveries have forced paleontologists to change the date for the first appearance of various organisms in the fossil record again and again. If you picture each order,

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class, and phylum as a line, the line keeps reaching further and further back toward the beginning. Is it possible that all major groupings of plant and animal life were created in the beginning? This position accounts admirably for Fact #1, the explosion of life in the early rocks.

Fact and Interpretation

The order of the fossil record is sometimes treated as the evolutionist's trump card. Despite controversies over how evolution proceeds, many argue, nonetheless the fossil record establishes that evolution is a fact. That argument assumes, however, that evolution is the only plausible interpretation of the fossil record. As we have seen, there are several possible interpretations of the fossil record. The **existence** of the fossils is a fact; to explain what the fossils **mean** is to construct a theory--and evolution must take its place as one among several competing theories.

What the evolutionist is really saying is that he is willing to accept natural-cause explanations for the fossil record only. If we allow only natural-cause explanations, then if one fossil type lies above another type, the latter **must** have evolved from the former.

The question really comes down to the distinction between natural and intelligent causes. If a scientist comes to the study of geology with his mind already made up that science can deal only with natural causes, then he must adopt an evolutionary

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framework. If, on the other hand, he comes with an open mind, then he is free to consider all interpretations and accept the one that best fits the evidence.

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Chapters 3 and 4: Of Fur and Feathers

To organize living things by whether they sport fin or feather or fur--that is the job of the taxonomist. His goal is to group organisms by their similarities and to distinguish them by their differences. But that's only half the story. Having recognized patterns of similarities, he then reaches out to explain what those patterns mean. Why are all vertebrates constructed on essentially the same body plan? Why do birds range from the spritely wren to the gangly ostrich, yet each retains the characteristics that make it a bird? Why can we classify living things in a hierarchical pattern as representatives of a species, genus, family, class, order, and phylum?

(sub) groups? w/ in order?

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Bright this up, feature it!
~~Twenty-three hundred~~ Two thousand years ago, in ancient Greece, an astute observer of the natural world named Aristotle asked himself the same questions. He developed what is called the typological approach to taxonomy. What makes both the wren and the ostrich birds in spite of their differences, Aristotle said, is that each embodies a pattern, or idea, or archetype--a set of characteristics that together constitute an idealized or generalized Bird type.

Likewise, the lion, the tiger, the leopard, the caracal, the cougar, the bobcat, and the domestic cat each embodies the Cat type. The wolf, the fox, the dingo, the jackal, and the domestic dog each embodies the Dog type.

The typological model seemed to match common-sense observation of the world. For nearly two thousand years of

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